

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

FILED IN CLERK'S OFFICE
U.S.D.C. ATLANTA

JAN 24 2006

LUTHER D. JEFFERSON
Clerk
By: [Signature]

THE POWELL COMPANY, INC.,

Plaintiff,

CIVIL ACTION NO.

v.

1:05-CV-2614-JEC

THE MCGAREY GROUP, LLC,

Defendant.

ORDER

The above entitled action is presently before the Court on defendant's Motion to Transfer Case to the United States District Court for the Southern District of California [6] and defendant's Motion to Dismiss Amended Complaint [14].

IT IS HEREBY ORDERED that the Court **DENIES** defendant's Motion to Transfer Case to the United States District Court for the Southern District of California [6] and **DENIES WITHOUT PREJUDICE** defendant's Motion to Dismiss Amended Complaint [14].

SO ORDERED, this 24 day of JANUARY, 2006.

[Signature]
JULIE E. CARNES
UNITED STATES DISTRICT JUDGE